IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K. HEMA

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl. Rev. Pet. No. 552 of 1999

CRA. 250/1997 of ADDL. SESSIONS COURT, THRISSUR
CC. 98/1994 of CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR
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REVN. PETITIONER/ APPELLANT/ACCUSED:

ANANDAN, S/O. DEVAKI,
ATHAMKAVIL HOUSE,
P.O. KUTTANELLUR, THRISSUR.

BY ADV. SRI. D. KRISHNA PRASAD
SRI. JOJI VARGHESE
SRI. M. HARISHARMA

RESPONDENTS/RESPONDENTS/COMPLAINANT-STATE OF KERALA
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1. **M.G. VASUDEVAN,**
PUSHPANJALI,
DILKUSH LANE, THRISSUR.

2. **STATE OF KERALA, REPRESENTED BY**
THE PUBLIC PROSECUTOR.

R1 BY ADV. SRI. SIMON LUIZ

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. HEMA, J.

CRL. R.P. NO. 552 OF 1999

Dated this the 10th day of April, 2007.

O R D E R

Revision petitioner is the accused in C.C. No. 98 of 1994 on the file of Chief Judicial Magistrate's Court, Thrissur. First respondent is the complainant therein. Revision petitioner was convicted under Section 138 of the Negotiable Instruments Act and sentenced by the Magistrate's Court to pay a fine of Rs. 30,000/- and in default to undergo simple imprisonment for three months. He was also directed to pay Rs. 27,000/- towards compensation to the complainant on realization of the fine amount. In appeal filed by him, the conviction and sentence were confirmed by the Sessions Court, Thrissur. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl. M.A. No. 4233 of 2007 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount involved is also paid by the petitioner to the satisfaction of the first respondent.

On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence. The revision petitioner is acquitted of offence under Section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl.M.A.No.4233 of 2007 and revision petition are allowed.

K. HEMA, JUDGE.

smp